



Sen. Kimberly A. Lightford

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1 AMENDMENT TO HOUSE BILL 5065

2 AMENDMENT NO. _____. Amend House Bill 5065, AS AMENDED, by
3 replacing all of Section 3 with the following:

4 "Section 3. The Illinois Procurement Code is amended by
5 changing Sections 15-15 and 15-25 as follows:

6 (30 ILCS 500/15-15)

7 Sec. 15-15. Publication. All volumes of the Illinois
8 Procurement Bulletin shall be published at least once per
9 month. Any volume, including volumes available in print format,
10 shall be available through subscription for a minimal fee not
11 exceeding publication and distribution costs. The Illinois
12 Procurement Bulletin shall be distributed free to public
13 libraries within Illinois and electronically to any entity that
14 has subscribed on the publishing entity's website.

15 (Source: P.A. 90-572, eff. date - See Sec. 99-5.)

1 (30 ILCS 500/15-25)

2 (Text of Section before amendment by P.A. 96-795)

3 Sec. 15-25. Bulletin content.

4 (a) Invitations for bids. Notice of each and every contract
5 that is offered, including renegotiated contracts and change
6 orders, shall be published in the Bulletin, and all businesses
7 listed on the Department of Transportation Disadvantaged
8 Business Enterprise Directory, the Department of Central
9 Management Services Business Enterprise Program and Small
10 Business Vendors Directory, and the Capital Development
11 Board's Directory of Certified Minority and Female Business
12 Enterprises shall be furnished written instructions and
13 information on how to register on each Procurement Bulletin
14 maintained by the State. Such information shall be provided to
15 each business within 30 days after the business' notice of
16 certification. The applicable chief procurement officer may
17 provide by rule an organized format for the publication of this
18 information, but in any case it must include at least the date
19 first offered, the date submission of offers is due, the
20 location that offers are to be submitted to, the purchasing
21 State agency, the responsible State purchasing officer, a brief
22 purchase description, the method of source selection,
23 information of how to obtain a comprehensive purchase
24 description and any disclosure and contract forms, and
25 encouragement to prospective vendors to hire qualified
26 veterans, as defined by Section 45-67 of this Code, and

1 qualified Illinois minorities, women, persons with
2 disabilities, and residents discharged from any Illinois adult
3 correctional center.

4 (b) Contracts let ~~or awarded~~. Notice of each and every
5 contract that is let ~~or awarded~~, including renegotiated
6 contracts and change orders, shall be issued electronically to
7 those bidders or offerors submitting responses to the
8 solicitations, inclusive of the unsuccessful bidders,
9 immediately upon contract let. Failure of any chief procurement
10 officer to give such notice shall result in tolling the time
11 for filing a bid protest up to 5 business days. The apparent
12 low bidder's award and all other bids from bidders responding
13 to solicitations shall be posted on the agency's website the
14 next business day ~~published in the next available subsequent~~
15 ~~Bulletin, and the applicable chief procurement officer may~~
16 ~~provide by rule an organized format for the publication of this~~
17 ~~information, but in any case it must include at least all of~~
18 ~~the information specified in subsection (a) as well as the name~~
19 ~~of the successful responsible bidder or offeror, the contract~~
20 ~~price, the number of unsuccessful responsive bidders, and any~~
21 ~~other disclosure specified in any Section of this Code. This~~
22 ~~notice must be posted in the online electronic Bulletin prior~~
23 ~~to execution of the contract.~~

24 (b-5) Contracts awarded. Notice of each and every contract
25 that is awarded, including renegotiated contracts and changes
26 orders, shall be issued electronically to the successful

1 responsible bidder or offeror, posted on the agency's website
2 the next business day, and published in the next available
3 subsequent Bulletin. The applicable chief procurement officer
4 may provide by rule an organized format for the publication of
5 this information, but in any case it must include at least all
6 of the information specified in subsection (a) as well as the
7 name of the successful responsible bidder or offeror, the
8 contract price, the number of unsuccessful responsive bidders,
9 and any other disclosure specified in any Section of this Code.
10 This notice must be posted in the online electronic Bulletin
11 prior to execution of the contract.

12 (c) Emergency purchase disclosure. Any chief procurement
13 officer, State purchasing officer, or designee exercising
14 emergency purchase authority under this Code shall publish a
15 written description and reasons and the total cost, if known,
16 or an estimate if unknown and the name of the responsible chief
17 procurement officer and State purchasing officer, and the
18 business or person contracted with for all emergency purchases
19 in the next timely, practicable Bulletin. This notice must be
20 posted in the online electronic Bulletin within 3 business days
21 after the execution of the contract.

22 (d) Other required disclosure. The applicable chief
23 procurement officer shall provide by rule for the organized
24 publication of all other disclosure required in other Sections
25 of this Code in a timely manner.

26 (e) The Department of Central Management Services, the

1 Capital Development Board, the Department of Transportation,
2 and the higher education chief procurement officer shall
3 provide the Procurement Policy Board with the information and
4 resources necessary, and in a manner, to effectuate the purpose
5 of this amendatory Act of the 96th General Assembly.

6 (Source: P.A. 94-1067, eff. 8-1-06; 95-536, eff. 1-1-08.)

7 (Text of Section after amendment by P.A. 96-795)

8 Sec. 15-25. Bulletin content.

9 (a) Invitations for bids. Notice of each and every contract
10 that is offered, including renegotiated contracts and change
11 orders, shall be published in the Bulletin, and all businesses
12 listed on the Department of Transportation Disadvantaged
13 Business Enterprise Directory, the Department of Central
14 Management Services Business Enterprise Program and Small
15 Business Vendors Directory, and the Capital Development
16 Board's Directory of Certified Minority and Female Business
17 Enterprises shall be furnished written instructions and
18 information on how to register on each Procurement Bulletin
19 maintained by the State. Such information shall be provided to
20 each business within 30 days after the business' notice of
21 certification. The applicable chief procurement officer may
22 provide by rule an organized format for the publication of this
23 information, but in any case it must include at least the date
24 first offered, the date submission of offers is due, the
25 location that offers are to be submitted to, the purchasing

1 State agency, the responsible State purchasing officer, a brief
2 purchase description, the method of source selection,
3 information of how to obtain a comprehensive purchase
4 description and any disclosure and contract forms, and
5 encouragement to prospective vendors to hire qualified
6 veterans, as defined by Section 45-67 of this Code, and
7 qualified Illinois minorities, women, persons with
8 disabilities, and residents discharged from any Illinois adult
9 correctional center.

10 (b) Contracts let ~~or awarded~~. Notice of each and every
11 contract that is let ~~or awarded~~, including renegotiated
12 contracts and change orders, shall be issued electronically to
13 those bidders or offerors submitting responses to the
14 solicitations, inclusive of the unsuccessful bidders,
15 immediately upon contract let. Failure of any chief procurement
16 officer to give such notice shall result in tolling the time
17 for filing a bid protest up to 5 business days. The apparent
18 low bidder's award and all other bids from bidders responding
19 to solicitations shall be posted on the agency's website the
20 next business day ~~published in the next available subsequent~~
21 ~~Bulletin, and the applicable chief procurement officer may~~
22 ~~provide by rule an organized format for the publication of this~~
23 ~~information, but in any case it must include at least all of~~
24 ~~the information specified in subsection (a), the name of the~~
25 ~~successful responsible bidder or offeror, the contract price,~~
26 ~~the number of unsuccessful responsive bidders, the information~~

1 ~~required in subsection (g) of Section 20-10 if applicable, and~~
2 ~~any other disclosure specified in any Section of this Code.~~
3 ~~This notice must be posted in the online electronic Bulletin no~~
4 ~~later than 10 business days after the contract is awarded.~~

5 (b-5) Contracts awarded. Notice of each and every contract
6 that is awarded, including renegotiated contracts and changes
7 orders, shall be issued electronically to the successful
8 responsible bidder or offeror, posted on the agency's website
9 the next business day, and published in the next available
10 subsequent Bulletin. The applicable chief procurement officer
11 may provide by rule an organized format for the publication of
12 this information, but in any case it must include at least all
13 of the information specified in subsection (a) as well as the
14 name of the successful responsible bidder or offeror, the
15 contract price, the number of unsuccessful responsive bidders,
16 and any other disclosure specified in any Section of this Code.
17 This notice must be posted in the online electronic Bulletin
18 prior to execution of the contract.

19 (c) Emergency purchase disclosure. Any chief procurement
20 officer or State purchasing officer exercising emergency
21 purchase authority under this Code shall publish a written
22 description and reasons and the total cost, if known, or an
23 estimate if unknown and the name of the responsible chief
24 procurement officer and State purchasing officer, and the
25 business or person contracted with for all emergency purchases
26 in the next timely, practicable Bulletin. This notice must be

1 posted in the online electronic Bulletin no later than 3
2 business days after the contract is awarded. Notice of a
3 hearing to extend an emergency contract must be posted in the
4 online electronic Procurement Bulletin no later than 5 business
5 days prior to the hearing.

6 (c-5) Business Enterprise Program report. Each purchasing
7 agency shall post in the online electronic Bulletin a copy of
8 its annual report of utilization of businesses owned by
9 minorities, females, and persons with disabilities as
10 submitted to the Business Enterprise Council for Minorities,
11 Females, and Persons with Disabilities pursuant to Section 6(c)
12 of the Business Enterprise for Minorities, Females, and Persons
13 with Disabilities Act within 10 business days after its
14 submission of its report to the Council.

15 (c-10) Renewals. Notice of each contract renewal shall be
16 posted in the online electronic Bulletin within 10 business
17 days of the determination to renew the contract and the next
18 available subsequent Bulletin. The notice shall include at
19 least all of the information required in subsection (b).

20 (c-15) Sole source procurements. Before entering into a
21 sole source contract, a chief procurement officer exercising
22 sole source procurement authority under this Code shall publish
23 a written description of intent to enter into a sole source
24 contract along with a description of the item to be procured
25 and the intended sole source contractor. This notice must be
26 posted in the online electronic Procurement Bulletin before a

1 sole source contract is awarded and at least 14 days before the
2 hearing required by Section 20-25.

3 (d) Other required disclosure. The applicable chief
4 procurement officer shall provide by rule for the organized
5 publication of all other disclosure required in other Sections
6 of this Code in a timely manner.

7 (e) The changes to subsections (b), (c), (c-5), (c-10), and
8 (c-15) of this Section made by this amendatory Act of the 96th
9 General Assembly apply to reports submitted, offers made, and
10 notices on contracts executed on or after its effective date.

11 (f) The Department of Central Management Services, the
12 Capital Development Board, the Department of Transportation,
13 and the higher education chief procurement officer shall
14 provide the Procurement Policy Board with the information and
15 resources necessary, and in a manner, to effectuate the purpose
16 of this amendatory Act of the 96th General Assembly.

17 (Source: P.A. 95-536, eff. 1-1-08; 96-795, eff. 7-1-10 (see
18 Section 5 of P.A. 96-793 for the effective date of changes made
19 by P.A. 96-795).)."